

Sixth Appellate District

San Jose, California

MONDAY, FEBRUARY 28, 2005

H027743 In re ANITA G., et al.; MONTEREY DSS v. SYLVIA A.

The judgment is reversed pursuant to the stipulation of the parties. The matter is remanded to the juvenile court with direction to hold a new hearing pursuant to section 366.26. The remittitur shall issue forthwith. (not published)

(Rushing, P.J.; We concur: Premo, J., Elia, J.)

Filed February 28, 2005

H027261 PEOPLE v. RYAN

The judgment and sentence are affirmed. (not published)

(Bamattre-Manoukian, Acting P.J.; I concur: McAdams, J.;

Dissenting opinion by Mihara, J.)

Filed February 28, 2005

H027419 PEOPLE v. MOSES C.

The judgment is affirmed. (not published)

(Rushing, P.J.; We concur: Premo, J., Elia, J.)

Filed February 28, 2005

H024624 MAY v. TRUSTEES OF CALIFORNIA STATE UNIVERSITY

The order granting a new trial is affirmed. State is awarded costs for this appeal. The order denying the judgment notwithstanding the verdict is affirmed. May is awarded costs for this cross-appeal. (not published)

(Rushing, P.J.; We concur: Premo, J., Mihara, J.)

Filed February 28, 2005

H026666 ROYAL POOLS OF SANTA CLARA, INC. v. MARCUS

By the Court*:

Appellant's petition for rehearing is denied.

Filed: February 28, 2005

*Before Bamattre-Manoukian, Acting P.J., and McAdams, J.

TUESDAY, MARCH 1, 2005

H027081 PEOPLE v. SAVALZA

The judgment is modified by reducing the restitution fine to the \$200 statutory minimum. As so modified, the judgment is affirmed. (not published)

(Bamattre-Manoukian, Acting P.J.; We concur: Mihara, J., McAdams, J.)

Filed March 1, 2005

Sixth Appellate District

San Jose, California

Tuesday, March 1, 2005 (continued)

H027582 PEOPLE v. GALVAN

The judgment is affirmed. (not published)
(Bamattre-Manoukian, Acting P.J.; We concur: Mihara, J., McAdams, J.)

Filed March 1, 2005

WEDNESDAY, MARCH 2, 2005

H027439 VERITY, INC. v. OMEN, INC.

The order is reversed. Each party to bear its own costs on appeal. (not published)

(Mihara, J.; We concur: Elia, Acting P.J., McAdams, J.)

Filed March 2, 2005

H026276 PEOPLE v. CLARK

The judgment is affirmed. (not published)

(Elia, J.; We concur: Rushing, P.J., Premo, J.)

Filed March 2, 2005

THURSDAY, MARCH 3, 2005

H026487 PEOPLE v. NGUYEN

The judgment is affirmed. (not published)

(Premo, J.; We concur: Rushing, P.J., Elia, J.)

Filed March 3, 2005

H027086 IN RE ISIDRO DeLUNA ON HABEAS CORPUS

(Filed order modifying opinion.) The petition for rehearing is denied. There is no change in the judgment. (published)

(Walsh, J.*; Premo, Acting P.J.; Bamattre-Manoukian, J.)

Filed March 3, 2005

(*Judge of the Santa Clara County Superior Court assigned by the Chief Justice pursuant to article VI, section 6 of the California Constitution.)

Sixth Appellate District

San Jose, California

Thursday, March 3, 2005 (continued)

H026086 PEOPLE v. CASTILLO

(Filed order modifying opinion.) The petition for rehearing by appellant is denied. There is no change in the judgment. (not published)

(Walsh, J.*; Premo, Acting P.J.; Bamattre-Manoukian, J.)

Filed March 3, 2005

(*Judge of the Santa Clara County Superior Court assigned by the Chief Justice pursuant to article VI, section 6 of the California Constitution.)

H025403 PEOPLE v. LI

(Filed order modifying opinion.) There is no change in the judgment. Appellant's petition for rehearing is denied. (not published)

(Rushing, P.J.; I concur: Premo, J.)

Filed March 3, 2005

H026832 PEOPLE v. RAMIREZ

The judgment is reversed. The trial court is directed to strike count 2, the misdemeanor conviction for violating Penal Code section 242, and count 4, the second attempted false imprisonment conviction. The prosecutor may retry count 3, the misdemeanor violation of Penal Code section 647.6, subdivision (a), within 30 days. If the prosecutor does not elect to retry defendant on that charge, the court shall resentence defendant on count 1, attempted false imprisonment. (not published)

(Elia, J.; We concur: Rushing, P.J., Mihara, J.)

Filed March 3, 2005

H027736 PEOPLE v. BENNETT

The judgment is modified by staying the sentence imposed for count 3, possession of drug paraphernalia. As so modified, the judgment is affirmed. (not published)

(Bamattre-Manoukian, Acting P.J.; We concur: Mihara, J., McAdams, J.)

Filed March 3, 2005

Sixth Appellate District

San Jose, California

FRIDAY, MARCH 4, 2005

H027780 PEOPLE v. DISA

The judgment is affirmed. (not published)
(McAdams, J.; We concur: Bamattre-Manoukian, Acting P.J., Mihara, J.)

Filed March 4, 2005

H028149 PEOPLE v. CORTEZ

H027734 PEOPLE v. CLARK

H027931 PEOPLE v. IMPEY

H027936 PEOPLE v. BERNAL

The cause herein is ordered submitted.

Dated: March 4, 2005 RUSHING, P.J.

H027957 PEOPLE v. SANCHEZ

H028067 PEOPLE v. GARCIA

H028077 PEOPLE v. GALINDO

The cause herein is ordered submitted.

Dated: March 4, 2005 BAMATTRE-MANOUKIAN, Acting P.J.

H026270 PEOPLE v. SHEPHERD

By the Court:

Upon the court's own motion, the submission order in the above-entitled matter dated December 28, 2004, is hereby vacated. The court by separate letter issued March 3, 2005, has requested supplemental briefing from the parties. The cause will be resubmitted upon completion of supplemental briefing.

Dated: March 4, 2005 Rushing, P.J.

H027385 PEOPLE v. BRIAN L.

The victim restitution order is affirmed. (not published)
(Bamattre-Manoukian, Acting P.J.; We concur: Mihara, J., McAdams, J.)

Filed March 4, 2005